UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/829,102	04/21/2004	Hiroyasu Ogino	4041J-000857	5997

27572 7590 12/20/2005

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. BOX 828
BLOOMFIELD HILLS, MI 48303

EXAMINER	
MARSH, OLIVIA MARIE	
ART UNIT	**PAPER NUMBER**
2686	

DATE MAILED: 12/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/829,102	OGINO, HIROYASU	
	Examiner	Art Unit	
	Olivia Marsh	2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 April 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *4/21/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 5-7, 10, 14, 16-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Nemoto (U.S. 2003/0135858 A1).

As to **claim 1**, Nemoto discloses a vehicle receiver and a vehicle-mounted system for preventing battery exhaustion and for increasing the opportunity to update software (paragraph 9). Nemoto also discloses the receiver 100 of the embodiment has an Internet connecting function, and can access various web sites on the Internet, or send and receive e-mail by utilizing a mobile telephone 700 as a communication means (paragraph 43), reading on claimed "a wireless communications system between a center and a vehicle for a software downloading via a wireless communications network."

Nemoto also discloses the receiver 100 may directly access the downloading service server 820 by the use of the mobile telephone 700 to obtain the software (paragraph 0129), reading on claimed "center communications terminal provided in the center for downloading a software."

Nemoto also discloses the receiver 100 when the downloading is executed while the vehicle is parked (paragraph 65). Nemoto also discloses the key-state detector 28 determines whether the key switch of the vehicle is turned off or not (step 100) and while the key switch is not turned off, a negative determination is made, and the determination processing in the step 100 is repeatedly executed (paragraph 66). Nemoto also discloses when the key switch is turned off, an affirmative determination (paragraph 67). Nemoto also discloses if it is time to download, an affirmative determination is made in the step 106, and the controller 5 starts up the receiver 100 (step 107), at this time, at least the parts necessary for the execution of the downloading may be started up and then the downloading processor 24 executes the downloading operation (paragraph 70), reading on claimed "an in-vehicle communications terminal provided in the vehicle for receiving the software downloaded from the center communications terminal, wherein the in-vehicle communications terminal includes vehicle-stop assuming means for assuming whether the vehicle is not driven, and wherein, when the vehicle-stop assuming means assumes that the vehicle is not driven, the in-vehicle communications terminal is permitted to start the software downloading from the center communications terminal."

As to **claim 2**, Nemoto discloses everything as applied in claim 1 and Nemoto also discloses the vehicle-stop assuming means assumes that the vehicle is not driven when an accessory switch of the vehicle is being turned off (see paragraph 67).

As to **claim 5**, Nemoto discloses everything as applied in claim 1 and Nemoto also discloses the in-vehicle communications terminal further includes wireless-environment start determining means for determining, prior to starting the software downloading, whether a wireless communications environment level between the in-vehicle communications terminal and the center communications terminal is equal to or more than a predetermined level (see

paragraph 68) , and wherein, when the wireless-environment start determining means determines, prior to starting the software downloading, that the wireless communications environment level is equal to or more than the predetermined level, the in-vehicle communications terminal is permitted to start the software downloading from the center communications terminal (see paragraphs 71-72).

As to **claim 6**, Nemoto discloses everything as applied in claim 1 and Nemoto also discloses a time of day for starting the software downloading and a downloading period for the software downloading are determined based on terminal identification information uniquely assigned to the in-vehicle communications terminal (see paragraphs 67 and 69).

As to **claim 7**, Nemoto discloses everything as applied in claim 1 and Nemoto also discloses the in-vehicle communications terminal further includes importance level determining means for determining whether a software to be downloaded has an importance level equal to or higher than a predetermined level, and wherein, when the importance level determining means determines that the software to be downloaded has the importance level equal to or higher than the predetermined level, the in-vehicle communications terminal is permitted to start the software downloading from the center communications terminal in preference to other communications processes even when the vehicle-stop assuming means does not assume that the vehicle is not driven, and wherein, when the importance level determining means determines that the software to be downloaded has the importance level lower than the predetermined level, the in-vehicle communications terminal is permitted to start the software downloading from the center communications terminal when the vehicle-stop assuming means assumes that the vehicle is not driven (see paragraphs 105, 106, and 108).

As to **claim 10**, Nemoto discloses everything as applied in claim 1 and Nemoto also discloses wireless communications environment level between the in-vehicle communications

terminal and the center communications terminal becomes less than a predetermined level while the software downloading, the in-vehicle communications terminal stops the software downloading from the center communications terminal (see paragraphs 71-72).

As to **claim 14**, Nemoto discloses everything as applied in claim 1 and Nemoto also discloses an accessory switch of the vehicle is turned on while the software downloading, the in-vehicle communications terminal stops the software downloading from the center communications terminal (paragraph 66). It is inherent that if the downloading only occurs when the key switch is turned off, then the downloading would cease if the key switch is turned on.

As to **claim 16**, Nemoto discloses a vehicle receiver and a vehicle-mounted system for preventing battery exhaustion and for increasing the opportunity to update software (paragraph 9). Nemoto also discloses the receiver 100 of the embodiment has an Internet connecting function, and can access various web sites on the Internet, or send and receive e-mail by utilizing a mobile telephone 700 as a communication means (paragraph 43), reading on claimed "an in-vehicle communications terminal that is provided in a vehicle and used for a software downloading via a wireless communications network from a center communications terminal provided in a center" and "wireless means for communicating with the center communications terminal via the wireless communications network."

Nemoto also discloses the controller 5 is used to control each part of the receiver 100 in response to operating instructions given by the operating section 6 so as to control the overall operation of the receiver 100 (paragraph 48), reading on claimed "control means for causing the wireless means to execute the software downloading."

Nemoto also discloses the key-state detector 28 detects the connection and disconnection states of a key switch of the vehicle with the receiver 100 mounted thereon (paragraph 54), reading on claimed "vehicle-stop assuming means for assuming whether the

vehicle is not driven." Nemoto also discloses the receiver 100 when the downloading is executed while the vehicle is parked (paragraph 65). Nemoto also discloses the key-state detector 28 determines whether the key switch of the vehicle is turned off or not (step 100) and while the key switch is not turned off, a negative determination is made, and the determination processing in the step 100 is repeatedly executed (paragraph 66). Nemoto also discloses when the key switch is turned off, an affirmative determination (paragraph 67). Nemoto also discloses if it is time to download, an affirmative determination is made in the step 106, and the controller 5 starts up the receiver 100 (step 107), at this time, at least the parts necessary for the execution of the downloading may be started up and then the downloading processor 24 executes the downloading operation (paragraph 70), reading on claimed "the vehicle-stop assuming means assumes that the vehicle is not driven, the control means is permitted to cause the wireless means to start the software downloading from the center communications terminal."

As to **claim 17**, Nemoto discloses everything as applied in claim 16 and Nemoto also discloses the vehicle-stop assuming means assumes that the vehicle is not driven when an accessory switch of the vehicle is being turned off (see paragraphs 66-67).

As to **claim 18**, Nemoto discloses everything as applied in claim 16 and Nemoto also discloses the in-vehicle communications terminal determines a time of day for starting the software downloading and a downloading period for the software downloading, based on terminal identification information uniquely assigned to the in-vehicle communications terminal, and wherein the in-vehicle communications terminal executes the software downloading from the center communications terminal based on the determined time of day for starting the software downloading and the determined downloading period for the software downloading (see paragraphs 68-69).

As to **claim 19**, Nemoto discloses everything as applied in claim 16 and Nemoto also discloses importance level determining means for determining whether a software to be downloaded has an importance level equal to or higher than a predetermined level, and wherein, when the importance level determining means determines that the software to be downloaded has the importance level equal to or higher than the predetermined level, the control means is permitted to cause the wireless means to start the software downloading from the center communications terminal in preference to other communications processes even when the vehicle-stop assuming means does not assume that the vehicle is not driven, and wherein, when the importance level determining means determines that the software to be downloaded has the importance level lower than the predetermined level, the control means is permitted to cause the wireless means to start the software downloading from the center communications terminal when the vehicle-stop assuming means assumes that the vehicle is not driven (see paragraphs 105, 106, and 108).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nemoto as applied to claim 1 above, and further in view of Parvulescu *et al* (U.S. 6687497 B1).

As to **claim 3**, Nemoto discloses everything as applied in claim 1; however Nemoto fails to disclose the vehicle-stop assuming means assumes that the vehicle is not driven when a parking brake of the vehicle is being turned on. The Examiner contends this feature was old and well known in the art as taught by Parvulescu.

In the same field of endeavor, Parvulescu teaches the vehicle-stop assuming means assumes that the vehicle is not driven when a parking brake of the vehicle is being turned on (see column 4, lines 65-67; column 5, lines 1-5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the wireless communication system and vehicle-stop assuming means, disclosed by Nemoto, the vehicle-stop assuming means assumes that the vehicle is not driven when a parking brake of the vehicle is being turned on, as taught by Parvulescu, in order to prevent inappropriate cellular telephone usage while driving.

5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nemoto as applied to claim 1 above, and further in view of Yamato *et al* (U.S. 2004/0204161 A1).

As to **claim 4**, Nemoto discloses everything as applied in claim 1; however, Nemoto fails to disclose the vehicle-stop assuming means assumes that the vehicle is not driven when a door of the vehicle is opened, closed, and locked. The Examiner contends this feature was old and well known in the art as taught by Yamato.

In the same field of endeavor, Yamato teaches the vehicle-stop assuming means assumes that the vehicle is not driven when a door of the vehicle is opened, closed, and locked (see paragraphs 87-88).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the wireless communication system and vehicle-stop assuming means, disclosed by Nemoto, the vehicle-stop assuming means assumes that the vehicle is not driven when a door of the vehicle is opened, closed, and locked, as taught by Yamato, to ease the burden on the user from switching between a hands-free communication and to a non-hands-free communication.

6. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nemoto as applied to claim 1 above, and further in view of Hinds *et al* (U.S. 6810245 B1).

As to **claim 8**, Nemoto discloses everything as applied in claim 1; however, Nemoto fails to disclose the center communications terminal notifies the in-vehicle communications terminal of start information by using notice information, and wherein the start information relates to whether the in-vehicle communications terminal is permitted to start the software downloading from the center communications terminal. The Examiner contends this feature was old and well known in the art as taught by Hinds.

In the same field of endeavor, Hinds teaches the center communications terminal notifies the in-vehicle communications terminal of start information by using notice information, and wherein the start information relates to whether the in-vehicle communications terminal is permitted to start the software downloading from the center communications terminal (see column 3, lines 5-15).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the wireless communication system and the center communications terminal, disclosed by Nemoto, the center communications terminal notifies the in-vehicle communications terminal of start information by using notice information, and wherein the start information relates to whether the in-vehicle communications terminal is permitted to start the software downloading from the center communications terminal, as taught by Hinds, in order to provide a new or upgraded version of the native software located on the wireless communication device.

As to **claim 9**, Nemoto discloses everything as applied in claim 1 and Nemoto also discloses the receiver 100 of the embodiment has an Internet connecting function, and can access various web sites on the Internet, or send and receive e-mail by utilizing a mobile

telephone 700 as a communication means (paragraph 43), reading on claimed "the center communications terminal notifies the in-vehicle communications terminal of start information by using an electronic mail."

However, Nemoto fails to disclose the start information relates to whether the in-vehicle communications terminal is permitted to start the software downloading from the center communications terminal. The Examiner contends this feature was old and well known in the art as taught by Hinds.

Hinds also teaches the start information relates to whether the in-vehicle communications terminal is permitted to start the software downloading from the center communications terminal (see column 3, lines 5-15).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the wireless communication system and the center communications terminal, disclosed by Nemoto, the start information relates to whether the in-vehicle communications terminal is permitted to start the software downloading from the center communications terminal, as taught by Hinds, in order to provide a new or upgraded version of the native software located on the wireless communication device.

7. Claims 11-13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nemoto as applied to claim 1 above, and further in view of Gonzalez *et al* (U.S. 2002/0161913 A1).

As to **claim 11**, Nemoto discloses everything as applied in claim 1; however, Nemoto fails to disclose a downloading speed while the software downloading becomes less than a predetermined speed, the in-vehicle communications terminal stops the software downloading from the center communications terminal. The Examiner contends this feature was old and well known in the art as taught by Gonzalez.

In the same field of endeavor, Gonzalez teaches a downloading speed while the software downloading becomes less than a predetermined speed, the in-vehicle communications terminal stops the software downloading from the center communications terminal (see paragraphs 30-33).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the wireless communication system, disclosed by Nemoto, a downloading speed while the software downloading becomes less than a predetermined speed, the in-vehicle communications terminal stops the software downloading from the center communications terminal, as taught by Gonzalez, to prevent a mobile user from downloading files when the bandwidth received by the mobile device is not sufficient for the information attempting to being downloading by the user.

As to **claim 12**, Nemoto discloses everything as applied in claim 1 and Nemoto also discloses the in-vehicle communications terminal stops the software downloading from the center communications terminal when at least one of a first and second stop conditions is fulfilled, wherein the first condition is that a wireless communications environment level between

the in-vehicle communications terminal and the center communications terminal becomes less than a predetermined level (see paragraphs 71-72).

However, Nemoto fails to disclose a second condition is that a downloading speed while the software downloading becomes less than a predetermined speed, and wherein, after the in-vehicle communications terminal stops the software downloading since at least one of the two conditions is fulfilled, the in-vehicle communications terminal is permitted to resume the software downloading from the center communications terminal when the wireless communications environment level becomes equal to or more than the predetermined level. The Examiner contends this feature was old and well known in the art as taught by Gonzalez.

Gonzalez also teaches a second condition is that a downloading speed while the software downloading becomes less than a predetermined speed, and wherein, after the in-vehicle communications terminal stops the software downloading since at least one of the two conditions is fulfilled, the in-vehicle communications terminal is permitted to resume the software downloading from the center communications terminal when the wireless communications environment level becomes equal to or more than the predetermined (see paragraphs 30-33).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the wireless communication system, disclosed by Nemoto, the in-vehicle communications terminal stops the software downloading from the center communications terminal when at least one of a first and second stop conditions is fulfilled, wherein the first condition is that a wireless communications environment level between the in-vehicle communications terminal and the center communications terminal becomes less than a predetermined level, also disclosed by Nemoto, a second condition is that a downloading speed while the software downloading becomes less than a predetermined speed, and wherein, after

the in-vehicle communications terminal stops the software downloading since at least one of the two conditions is fulfilled, the in-vehicle communications terminal is permitted to resume the software downloading from the center communications terminal when the wireless communications environment level becomes equal to or more than the predetermined, as taught by Gonzales, to prevent a mobile user from downloading files when the bandwidth received by the mobile device is not sufficient for the information attempting to being downloading by the user.

As to **claim 13**, Nemoto discloses everything as applied in claim 1; however Nemoto fails to disclose when an elapsed downloading period becomes equal to or more than a predetermined period, the in-vehicle communications terminal stops the software downloading from the center communications terminal. The Examiner contends this feature was old and well known in the art as taught by Gonzalez.

Gonzalez also teaches when an elapsed downloading period becomes equal to or more than a predetermined period, the in-vehicle communications terminal stops the software downloading from the center communications terminal (see paragraphs 30-33).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the wireless communication system, disclosed by Nemoto, when an elapsed downloading period becomes equal to or more than a predetermined period, the in-vehicle communications terminal stops the software downloading from the center communications terminal, as taught by Gonzalez, to prevent a mobile user from downloading files when the bandwidth received by the mobile device is not sufficient for the information attempting to being downloading by the user.

As to **claim 15**, Nemoto discloses everything as applied in claim 1 and Nemoto also discloses the second condition is that an accessory switch is turned on while the software

downloading (see paragraph 66) and the in-vehicle communications terminal is permitted to resume the software downloading from the center communications terminal when the accessory switch is turned off (see paragraph 67).

However, Nemoto fails to disclose the in-vehicle communications terminal stops the software downloading from the center communications terminal when at least one of a first and second stop conditions is fulfilled, wherein the first condition is that an elapsed downloading period becomes equal to or more than a predetermined period, after the in-vehicle communications terminal stops the software downloading since at least one of the two conditions is fulfilled. The Examiner contends this feature was old and well known in the art as taught by Gonzalez.

Gonzalez also teaches disclose the in-vehicle communications terminal stops the software downloading from the center communications terminal when at least one of a first and second stop conditions is fulfilled, wherein the first condition is that an elapsed downloading period becomes equal to or more than a predetermined period, after the in-vehicle communications terminal stops the software downloading since at least one of the two conditions is fulfilled (see paragraphs 30-33).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the wireless communication system, disclosed by Nemoto, the second condition is that an accessory switch is turned on while the software downloading and the in-vehicle communications terminal is permitted to resume the software downloading from the center communications terminal when the accessory switch is turned off, also disclosed by Nemoto, the in-vehicle communications terminal stops the software downloading from the center communications terminal when at least one of a first and second stop conditions is fulfilled, wherein the first condition is that an elapsed downloading period becomes equal to or

more than a predetermined period, after the in-vehicle communications terminal stops the software downloading since at least one of the two conditions is fulfilled, as taught by Gonzales, to prevent a mobile user from downloading files when the bandwidth received by the mobile device is not sufficient for the information attempting to being downloading by the user.

8. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nemoto (U.S. 2003/0135858 A1) in view of Majmundar *et al* (U.S. 6970698 B2).

As to **claim 20**, Nemoto discloses the downloading service server 820 is used to manage on the Internet the website providing the software to be installed by the receiver 100 (paragraph 118), reading on claimed "a center communications terminal provided in a center for executing a software downloading via a wireless communications network to an in-vehicle communications terminal provided in a vehicle."

Nemoto also discloses the receiver 100 may directly access the downloading service server 820 by the use of the mobile telephone 700 to obtain the software (paragraph 129), reading on claimed "wireless means for communicating with the in-vehicle communications terminal via the wireless communications network; and control means for causing the wireless means to execute the software downloading." It is inherent downloading service server 820 must comprise a wireless means and control means in order communicate and provide data to the vehicle communication device.

However, Nemoto fails to disclose the control means determines a time of day for starting the software downloading and a downloading period for the software downloading based on identification information uniquely assigned to the in-vehicle communications terminal, and wherein the control means causes the wireless means to execute the software downloading based on the determined time of day for the software downloading and the downloading period

for the software downloading. The Examiner contends this feature was old and well known in the art at the time of invention as taught by Majmundar.

In the same field of endeavor, Majmundar teaches the control means determines a time of day for starting the software downloading and a downloading period for the software downloading based on identification information uniquely assigned to the in-vehicle communications terminal (see column 3, lines 19-26; column 4, lines 59-61, 67). Majmundar also teaches the control means causes the wireless means to execute the software downloading based on the determined time of day for the software downloading and the downloading period for the software downloading (see column 4, lines 16-18).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to require the center communications terminal and control means, disclosed by Nemoto, disclose the control means determines a time of day for starting the software downloading and a downloading period for the software downloading based on identification information uniquely assigned to the in-vehicle communications terminal, and wherein the control means causes the wireless means to execute the software downloading based on the determined time of day for the software downloading and the downloading period for the software downloading, as taught by Majmundar, in order to prepare the mobile device for receiving software downloads at particular times of day.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olivia Marsh whose telephone number is 571-272-7912. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Marsha D Banks-Harold

MARSHA D [illegible] D
SUPERVISO[illegible]INER
TECHNOLOGY CENTER 2600